

Remarks / Arguments

With the cancellation above of claims 2 and 17, claims 1, 3-16 and 18-31 are pending in the present application. Independent claims 1 and 16 have been amended above to incorporate the limitations of cancelled claims 2 and 17. Independent claims 30 and 31 have been amended in a similar manner. Dependent claims 7, 10, 13-15, 22, 25, 28 and 29 have been amended to better clarify the claimed invention and to correct informalities. No new matter is introduced herein.

The drawings have been objected to because in FIG. 2, the item having reference number 201 is labeled “FEC decoder,” whereas the specification refers to this item as a FEC encoder. Applicant submits herewith a Replacement Sheet which corrects this apparent error.

Claims 1-2, 7, 10, 13-17, 22, 25 and 28-31 have been objected to for reciting terminology of proximity, such as “about” and “substantially.” Additionally, claim 15 has been objected to for containing an informality. Applicant respectfully submits that the claim amendments set forth above overcome each of these grounds for objection.

Claims 1-31 stand rejected under 35 USC 112, second paragraph, as being indefinite. More specifically, the Examiner contends that it is unclear how the frequencies $f_2 \dots f_m$ can be ascertained as they are not related to the expression $BR/(BECLxN)$. The Examiner advises to revise the claims so that the frequencies $f_2 \dots f_m$ are related to BR and $BECL$.

Applicant respectfully asserts that the above amendments to independent claims 1, 16, 30 and 31 obviate this rejection. Claims 1, 16, 30 and 31 have been amended to incorporate the limitations of claim 2 (and 17) which place an upper bound on f_1 and thus $f_2 \dots f_m$ in terms of the parameters BR and ID (interleaving depth). In other words, all of the frequencies have an ascertainable upper bound, i.e., $BR/ (ID \times 8) \geq f_1 \geq f_2 \dots \geq f_M$. As such, as recited in independent claims 1, 16, 30 and 31, as amended, all frequencies, including $f_2 \dots f_m$, are related to known system parameters, as suggested by the Examiner. The rejection of claims 1-31 under 35 USC 112, should thus be withdrawn.

Claims 1, 3, 5, 16, 18, 30, 30 and 31 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 6,847,743 to Yamaguchi (hereinafter "Yamaguchi") in view of U.S. Patent No. 5,841,557 to Otsuka et al. (hereinafter "Otsuka"). Claim 15 stands rejected under 35 USC 103(a) as being unpatentable over Yamaguchi in view of Otsuka and further in view of U.S. Patent No. 7,106,970 to Fujiwara et al.

It is noted, however, that claims 2 and 17 have not been rejected on prior art grounds. Because the limitations of claims 2 and 17 have been incorporated by amendment into all independent claims, 1, 16, 30 and 31, it therefore follows that all pending claims, as amended, are allowable over the references cited by the Examiner. Therefore, Applicant respectfully submits that the rejections under 35 USC 103(a) have been overcome and should thus be withdrawn.

In view of the foregoing, Applicants respectfully submit that all pending claims, 1, 3-16 and 18-31, are allowable in their present form. Accordingly, both reconsideration of this application and its swift passage to issuance are earnestly solicited.

If however, there remain any unresolved issues requiring adverse action in any of the claims now pending in this application, the Examiner is urged to contact the undersigned so that any such issues can be resolved as expeditiously as possible.

Respectfully submitted,

Dated: May 23, 2007

By: Chris Kolefas/
Chris Kolefas (Reg. No. 35,226)
Brosemer, Kolefas & Associates, LLC
1 Bethany Road, Suite 58
Hazlet, New Jersey 07730
Tel.:(732)335-5788